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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,040	02/06/2004	Kuan-Nan Chou		5460

7590 03/04/2005

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EXAMINER

EVANISKO, LESLIE J

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 03/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/773,040

Applicant(s)

CHOU, KUAN-NAN

Examiner

Leslie J. Evanisko

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/06/2004 & 06/14/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

EX-PARTE QUAYLE ACTION

1. This application is in condition for allowance except for the following formal matters:

Priority

2. Receipt is acknowledged of a certified copy of the Korean application no. 092211176 referred to in the oath or declaration or in an application data sheet. If this copy is being filed to obtain the benefits of the foreign filing date under 35 U.S.C. 119(a)-(d), applicant should also file a claim for such priority as required by 35 U.S.C. 119(b). If the application being examined is an original application filed under 35 U.S.C. 111(a) (other than a design application) on or after November 29, 2000, the claim for priority must be presented during the pendency of the application, and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior foreign application. See 37 CFR 1.55(a)(1)(i). If the application being examined has entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the claim for priority must be made during the pendency of the application and within the time limit set forth in the PCT and Regulations of the PCT. See 37 CFR 1.55(a)(1)(ii). Any claim for priority under 35 U.S.C. 119(a)-(d) or (f) or 365(a) or (b) not presented within the time period set forth in 37 CFR 1.55(a)(1) is considered to have been waived. If a claim for foreign

priority is presented after the time period set forth in 37 CFR 1.55(a)(1), the claim may be accepted if the claim properly identifies the prior foreign application and is accompanied by a grantable petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55(c).

Drawings

3. The drawings are objected to because of the following informalities: MPEP 608.02 and 37 CFR 1.84(p)(3) states that reference numerals with underlining are used to indicate a surface or cross-section. Since reference numeral 15 in Figure 2, reference numeral 20 in Figure 3 and reference numeral 30 in Figure 5 do not appear to be illustrating a surface or cross-section, it is suggested that the underlining of each numeral be deleted from the figures and a lead line including an arrow be used as set forth in 37 CFR (r)(1) to designate an entire section towards which it points. It is noted from the description that reference numeral 15 is designated as the “keyboard” and reference numerals 20 and 30 are each showing a “wrist rest”.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate

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figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claims 1-7 are objected to because of the following informalities:

With respect to claim 1, the language in lines 3-5 is awkward and to insure it is clear that claim 1 is intended to be a generic claim, it is suggested that the language be deleted and replaced with language such as the following: --...being kept in an interior of the wrist rest body and being movable by either sliding out of the wrist rest body or by pivoting away from the wrist rest body; and--.

With respect to claim 2, it is suggested that the term --the-- be inserted before "movable piece" in line 1 since the movable piece was previously recited

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in claim 1. Additionally, it is suggested that the phrase "can slide" in line 2 be deleted and replaced with --slides--

With respect to claim 3, it is suggested that the term "can be" be deleted and replaced with --comprises--.

With respect to claim 5, it is suggested that the phrase "can be rotated" be deleted and replaced with --rotates-- to provide more active claim language.

Appropriate correction and/or clarification is required.

Allowable Subject Matter

5. Claims 1-7 are objected to for the reasons set forth above, but would be allowable if rewritten to overcome the above objections to the satisfaction of the Examiner.

6. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach or fairly suggest a wrist rest capable of vertically storing a keyboard comprising all of the structure as recited, in combination with and particularly including, a wrist rest body, at least one movable piece kept in an interior of the wrist rest body and being movable by sliding out of the wrist rest body or pivoting away from the wrist rest body, and at least one wall plate pivotally connected to the movable piece.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. DE 203 17 278 U1 teaches a keyboard wrist rest that also functions as a keyboard stand having obvious similarities to the claimed subject matter but fails to teach or fairly suggest the wrist rest including the particular structural elements (i.e., movable piece, pivotable wall plate) recited by applicant. Additionally, Chen (US 6,648,534 B2), Shirai (US 6,290,411 B1), and Allen (US 5,346,164) each teach a keyboard wrist rest or keyboard stand having obvious similarities to the claimed subject matter.

8. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Leslie J. Evanisko** whose telephone number is **(571) 272-2161**. The examiner can normally be reached on M-Th 7:30 am-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168.

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Leslie J. Evanisko
Primary Examiner
Art Unit 2854

lje
February 26, 2005